

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Tribal Welfare-Visakhapatnam-Revision Petition–filed by Sri. Marri Siva S/o Late Appala Naidu and 5 others R/o Koppigunta(V) Koyyuru(M), Visakhapatnam against the orders of the Agent to Government, Paderu in ACMA NO:30, 31, 32, 33, 34 & 37/02, dt:14.7.06-Dismissed-Orders-Issued.

**SOCIAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No: 182**

**Dated: 12-09-2008  
Read the following**

1. From Sri. N.Praveen Kumar, Council for the Petitioner, Revision Petitioner dt:14.8.2006.
2. Government Memo.No:9985/LTR-2/2006, dt: 28.8.2006.
3. From the PO, ITDA& Additional Agent to Government RcNo: 80/2006  
Special Deputy Tahasildar Dt: 27-10-2006
4. Government Memo No: 9985/LTR-2/2006 dt: 4.8.2007 and 20.8.2007.

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**ORDER:**

In the reference read above Sri. Marri Siva S/o Late Appala Naidu and 5 others have filed a Revision Petition before the Government against the orders of the Additional Agent to Government, Paderu in ACMA Nos.30, 31, 32, 33, 34, & 37/2002 (LTR), dt:14-7-2006. The main grounds of the appellant in the Revision Petition among others are:

- i) The petitioner and their fore-fathers are in uninterrupted possession and enjoyment of the dispute land since 1951; and
- ii) The petitioners are paying land revenue regularly to the Government.

**2.** The brief history of the case is that the Revision Petitioners mentioned in Column (2) in the table given below have occupied the Government land in Koppigunta (V) Koyyuru (M), Visakhapatnam District, measuring the extents shown in column (5), in Sy.Nos. in column (4) of the table:-

Sl. No.	Name of the Appellant	LTR No.	Village & Sy.No.	Extent Ac.cts	Classifica- tion
(1)	(2)	(3)	(4)	(5)	(6)
1.	Smt. Marri Rajulamma W/o Appanna	374/94	Koppigunta 80/1	5.00	Govt. land Dry
2.	Marri China Satyanarayana S/o Appalanaidu	375/94	96/6	1.28	-do-
3.	Polisetti Nagaraju S/o Bapanaiah	389/94	73/2	4.35	-do-
4.	Lalam Latchanna S/o Matayya	392/94	79/1	5.00	-do-
5.	Appikonda Nagaraju S/o Chittibabu	394/94	83/2	5.63	-do-
6.	Marri Shiva S/o Appalanaidu	378/02	70/2	4.35	-do-

The land covered by Sy.Nos. 80/1 Acres 5.00; 96/6 Acres 1.28; 73/2 Acres 4.35; 79/1 Acres 5.00; 83/2 Acres 5.63 and 70/2 Acres 4.35 of Koppigunta (V) Koyyuru (M), are classified as AWD and recorded as such in Revenue and Settlement records. The Revision Petitioners herein who are non tribals migrated from plains area to Agency and designed a claim to occupy the Government land with a view to alienate the same in contravention of provisions under Section 3(2) (a) of Regulation 1/1959 as amended by Regulation 1/70. The Lower Court after giving due notices and opportunity to the parties and after holding enquiry under the provisions of Andhra Pradesh Scheduled Areas Land Transfer Regulation, passed orders directing the non-tribals to evict themselves

from the scheduled lands in the Scheduled Areas. Aggrieved by the above orders of Special Deputy Collector (TW), Paderu filed an appeal before the Additional Agent to Government. The Additional Agent to Government issued a common order in respect of Special Deputy Collector, Paderu orders in LTR Case Nos:374/94, 375/94, 378/04, 389/94, 392/94 & 394/94 dt:12.9.2002, by dismissing the appeal Petitions, in ACMA Nos.30, 31, 32, 33, 34, & 37/2002 (LTR), dt:14-7-2006.

3. In the reference 2<sup>nd</sup> read above, the Additional Agent to Government, Paderu was requested to furnish the Parawise remarks and records in the case. The same were furnished in the reference 3<sup>rd</sup> read above. After examination of the case records, notices were issued to the concerned to attend the hearing of the Revision Petition on 16-08-2007. The Counsel for petitioner was present and prayed time to file written arguments by next hearing finally the case called on 31.8.2007 Petitioner and their counsel were absent.

4. Government after careful examination of the material evidence on record found that:

- i) The petitioner are in illegal possession of Government land in Koppigunta village of Koyyuru Mandal in Visakhapatnam district, as detailed below:

S.No.	Name of Petitioner	Sy.No.	Extent
1.	Smt. Marri Rajulamma W/o Appanna	80/1	5.00
2.	Marri China Satyanarayana S/o Appalanaidu	96/6	1.28
3.	Poliseti Nagaraju S/o Bapanaiah	73/2	4.35
4.	Lalam Latchanna S/o Matayya	79/1	5.00
5	Appikonda Nagaraju S/o Chittibabu	83/2	5.63
6.	Marri Siva S/o Appalanaidu	70/2	4.35
	<b>Total</b>		25.61

- ii) The petitioners have occupied the Banjar land/Government. Dry lands in the above Sy.Nos. in Koppigunta, a scheduled village in Visakhapatnam District. All the petitioners failed to file any documentary evidence in support of their rightful ownership on the said lands, including the LR receipts which they said to have paid to the Government.

- iii) The illegal occupation of the Government land in the Scheduled Areas by the non-tribal is objectionable as per the Revenue Boarding Standing Orders and also the Andhra Pradesh Land Encroachment Act, 1905, as that the petitioners occupational right is prima-facie is illegal and cannot be ratified at any time. The illegal occupation itself is a notice under the Law. Moreover, the G.O.Ms.No.971, dt:7.10.1969, prohibits all assignments of Government lands in agency area in favor of Non-tribals.

- iv) As it is clearly held that the non-tribals are in illegal possession of Government lands in the scheduled village, there is no point to keep the case pending any further.

5. Government after careful examination of the case records finds no reason to interfere with the orders of Additional Agent to Government in CMA No30, 31, 32, 33, 34 & 37/02. dt:14.7.2006 and dismiss the Revision Petition.

6. The Collector, Visakhapatnam / Additional Agent to Government are requested to take necessary action in the matter. The counsel for the petitioner has informed his clients accordingly

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K.TIGIDI,  
PRL. SECRETARY TO GOVERNMENT

To:  
The Collector, Visakhapatnam District (w.e.)  
(With RPAD of the following Records)

1. Case File A.C.M.A. No. 30 to 34 and 37/2002,

C.F. containing 157 Pages, N.F. containing 3 pages only.

2. Case File LTRP No:374/94-26 pages, 378/94-26 pages, 389/94-26 pages, 392/94-26 pages, 394/94-24 pages, Total 128 pages only.

The Additional Agent to Government, Visakhapatnam.

The Special Deputy Collector, Koyyuru (M), Visakhapatnam.

Sri. Marri siva S/o Lata Appala Naidu,  
R/o Koyyuru (M), Visakhapatnam.

Sri. Appikonda Ganga Raju,  
R/o Koyyuru (M), Visakhapatnam.

Sri. Marri China Satyanarayana,  
R/o Koyyuru (M), Visakhapatnam.

Sri. Poliseti Nagaraju,  
R/o Koyyuru (M), Visakhapatnam.

Sri. Lalem Latchanna,  
R/o Koyyuru (M), Visakhapatnam.

Sri. Marri Raja Kumari W/o Appanna,  
R/o Koyyuru (M), Visakhapatnam.

The Agent to Government –cum-District Collector,  
Visakhapatnam.

The Agency Divisional Officer and Special Deputy  
Collector (TW) Paderu, Visakhapatnam.

The Mandal Revenue Officer, Koyyuru (M), Visakhapatnam.

Sri. N.Praveen Kumar, (Advocate),  
H.No:81/2RT, Saidabad Colony, Hyderabad-59.

Copy to P.S to M (TW & RAID).

SF / SC

//FORWARDED BY ORDER//

**SECTION OFFICER**